

### Remarks

Applicant has received and carefully reviewed the office action mailed March 18, 2010. Currently claims 28-36 and 44-46 are pending. These claims have been rejected based only on formal matters. Favorable consideration of this response is respectfully requested.

### Claim Rejection Nonstatutory Obviousness-Type Double Patenting

Claims 28-36 and 44-46 were rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,595,983 B2. Applicant files herewith a terminal disclaimer to overcome this double patenting rejection. Thus, Applicant respectfully submits that claims 28-36 and 44-46 are in condition for allowance.

### Conclusion

In view of the foregoing, all pending claims are believed to be in condition for allowance. Further examination, reconsideration, and withdrawal of the rejections are respectfully requested. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Date: August 18 2010

Respectfully submitted,

Glenn M. Seager, Reg. No. 36,926  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
[Glenn.Seager@cstlaw.com](mailto:Glenn.Seager@cstlaw.com)  
Tel: (612) 677-9050